



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 70930
28 June 2013

MuckRock News
DEPT MR 5971
P.O. Box 55819
Boston, MA 02205-5819

Dear Mr. Morisy:

This responds to your Freedom of Information Act (FOIA) request dated 11 June 2013, which was received by this office on 11 June 2013, for "A copy of any employment documents maintained on Edward Snowden, including reviews, emails mentioning him from his supervisors or colleagues, and employment agreements with him in his capacity as a contractor with the National Security Agency." Your letter has been assigned Case Number 70930. Please refer to this case number when contacting us about your request. Your request has been processed under the provisions of the FOIA. For purposes of this request and based on the information you provided in your letter, you are considered an "all other" requester. There are no assessable fees for this request.

To the extent that you are seeking employment records, please be advised that our records reflect that Mr. Edward Snowden has never been an NSA/CSS employee; thus, the Agency does not maintain a personnel file on Mr. Snowden, nor does it maintain records related to personnel reviews, etc., as you describe in your request.

Any other records related to Mr. Snowden that this Agency maintains related to any Security processing, security agreements, or other records, are exempt from release in accordance with 5 U.S.C. 552(b)(3), 5 U.S.C. 552(b)(6), and 5 U.S.C. 552(b)(7).

This Agency is authorized by statute to protect certain information concerning its activities, as well as the names of its employees. Such information is exempt from disclosure pursuant to the third exemption of the FOIA which provides for the withholding of information specifically protected from disclosure by statute. The specific statute applicable in this case is

Section 6, Public Law 86-36 (50 U.S. Code 3605, formerly 50 U.S. Code 402 note).

The sixth exemption of the FOIA protects from disclosure information which would constitute a clearly unwarranted invasion of personal privacy. In balancing the public interest for the information you request against the privacy interests involved, we have determined that the privacy interests sufficiently satisfy the requirements for the application of the (b)(6) exemption for most of the responsive information.

Regarding any information that is not exempt pursuant to the third and sixth exemption, it is withheld pursuant to exemption 7 of the FOIA, which protects from disclosure records or information compiled for law enforcement purposes. This includes information that, if released, could interfere with enforcement proceedings, could cause an unwarranted invasion of personal privacy, or would reveal law enforcement techniques procedures. All of the information maintained by this Agency relating to Mr. Snowden meets the threshold requirements for withholding under exemption 7 of the FOIA and is withheld under (b)(7)(A), (b)(7)(C), and (b)(7)(E) of the FOIA.

The Initial Denial Authority for NSA information is the Associate Director for Policy and Records, David J. Sherman. Since your request has been denied, you are hereby advised of this Agency's appeal procedures. Any person notified of an adverse determination may file an appeal to the NSA/CSS Freedom of Information Act Appeal Authority. The appeal must be postmarked no later than 60 calendar days after the date of the initial denial. The appeal shall be in writing addressed to the NSA/CSS FOIA Appeal Authority (DJ4), National Security Agency, 9800 Savage Road STE 6248, Fort George G. Meade, MD 20755-6248. The appeal shall reference the initial denial of access and shall contain, in sufficient detail and particularity, the grounds upon which the requester believes release of the information is required. The NSA/CSS FOIA Appeal Authority will endeavor to respond to the appeal within 20 working days after receipt, absent any unusual circumstances.

Sincerely,

A handwritten signature in black ink, appearing to read "Pamela N. Phillips", is written over a faint, circular official seal.

PAMELA N. PHILLIPS
Chief
FOIA/PA Office